

## **CARTERET COUNTY BEACH COMMISSION**

### **BYLAWS**

#### **ARTICLE I**

##### **General**

Section 1. Name. This board is established under the authority of the Carteret County Board of Commissioners. The board shall be known as the Carteret County Beach Commission.

Section 2. Purpose. The Carteret County Beach Commission is charged by the Carteret County Board of Commissioners to advise the Board on strategies for beach nourishment and on the expenditure of room occupancy tax proceeds dedicated to beach nourishment. Furthermore, the Beach Commission shall: 1) review and evaluate the strategies available for beach nourishment in Carteret County; 2) recommend to the Carteret County Board of Commissioners a beach nourishment program which best meets current needs within available resources; advocate for federal and state funding; 3) recommend to the Carteret County Board of Commissioners the governmental agencies and their resource allocations to implement the beach nourishment program; 4) review the beach nourishment program of Carteret County to ensure that means are provided and resources expended in accordance with the adopted nourishment program and review staff reports on status and effectiveness; and 5) provide information to residents of Carteret County about beach nourishment and its benefits; 6.) serve as a liaison between the federal, state, and local regulatory authorities involved in beach nourishment; 7.) identify, research, and analyze the beach nourishment needs of Carteret County's beaches and make appropriate recommendations to the Board of County Commissioners; 8.) provide a forum for communication among departments and agencies involved with beach nourishment; 9.) work with federal, state, and local regulatory authorities and other agencies to prepare a business plan for beach nourishment in Carteret County; 10.) serve as an "ombudsman" for Carteret County citizens and businesses served by the beach nourishment program; 11.) make funding recommendations based on the tax proceeds dedicated to beach nourishment to the County Commissioners; 12.) improve public awareness of beach nourishment, programs, and issues in Carteret County; 13.) stay informed about beach nourishment issues and inform the County Commissioners about potential impacts of proposed changes in Carteret County; 14.) advocate for beach nourishment, issues, and needs; 15.) other activities as directed by the Carteret County Board of Commissioners.

#### **ARTICLE II**

##### **Membership**

Section 1. Members. The Commission is composed of not less than eleven voting members. The voting membership shall consist of: one (1) Carteret County Commissioner; two (2) individuals who reside within the town limits of Atlantic Beach; two (2) individuals who reside within the town limits of Pine Knoll Shores; two (2) individuals who reside within the town limits of Emerald Isle; one (1) individual who resides within the limits of Indian Beach; one (1) individual who resides on Bogue Banks; one (1) individual who resides anywhere in Carteret County; and one (1) member of the Carteret County Tourism Development Authority.

Section 2. Terms. Board members are eligible to be recommended for appointment by the Carteret County Board of Commissioners for three-year terms, except in making the initial appointments, the Board of County Commissioners shall provide for staggered terms. If an appointment is made to a vacancy where the term of office has not expired, that appointment shall fulfill the remainder of the unexpired term.

Section 3. Compensation. Board members shall not be compensated for the performance of their duties as members of the commission.

Section 4. Resignation. Board members may resign by submitting a written and signed resignation to the Board Chair for referral to the Carteret County Board of Commissioners. Whenever possible, the member's resignation should be submitted to the Board Chair at least thirty days prior to the effective date of the resignation.

Section 5. Removal. A board member or board committee member may be removed for just cause and after a closed hearing before the Board by an affirmative vote of two-thirds of the board, subject to the approval of the County Commissioners. For the board hearing and vote on removal to be effective, the member subject to removal must receive from the Board Chair at least twenty days' notice of a hearing and the reason(s) for removal. All other board members must receive at least ten days' notice of the board hearing on removal.

Section 6. Committee Membership. Every board member may be appointed to be an active member of at least one standing committee.

### **ARTICLE III**

#### **Meetings**

Section 1. Regular Meetings. Board meetings shall be held monthly on the fourth Friday of each month. With prior written notice, the board may by majority vote change the day of the month on which a regular board meeting will be held in order to accomplish the work of the board. All regular and special meetings of the board shall be open to the public as provided by law.

Section 2. Special Meetings. Special board meetings may be called by the Chairman or any majority of board members, for good cause and upon giving at least three days' notice to all members of the board, at any reasonable date, time, and place to consider any matter properly brought before the board consistent with the required notice and agenda.

Section 3. Attendance. Absences require prior notification to the Chairman or designee for board meetings and to the Committee Chair or designee for committee meetings. Any board member who misses two consecutive months of full board and committee meetings or board committee member who misses two consecutive months, may be subject to removal under Article II, Section 5 of these bylaws. The Chairman will be notified by Carteret County staff of any member or nominee not meeting these attendance requirements.

Section 4. Quorum. A quorum of the board is required to conduct any official business at a regular or special board meeting. At least six (6) of the total number of current voting board members present at a regular or special board meeting will constitute a quorum.

Section 5. Conduct of Meetings. The current edition of Robert's Rules of Order or other appropriate parliamentary rules of procedure shall govern the conduct of all regular and special meetings of the board and its standing and special committees, insofar as the rules are not inconsistent with the provision of these bylaws.

Section 6. Meeting Agendas. For each scheduled board meeting, a written agenda shall be prepared and distributed to each member prior to the meeting time.

Section 7. Leave of Absence. A board member or board committee member may request one leave of absence from board activities for up to six months in any three-year term, providing their attendance meets the requirements of Bylaws, Article III, Section 3. The request must be placed in writing and is subject to approval by the board officers. If a board member cannot actively participate for a period long than six months, s/he will be asked to resign. Individuals who

resign because they require an extended absence from the board are eligible to reapply at a later time for open positions.

## **ARTICLE IV**

### **Officers**

Section 1. Officers. The officers of the board shall be a Board Chair and Vice Chair, to be elected from the members of the board.

Section 2. Elections. At the regular board meeting in January ~~October~~ of each year, the voting members shall present nomination to the Board for each of the two offices. At the same January ~~October~~ meeting, any board member may make additional nominations to any office. Both officers shall be elected at the regular board meeting in January ~~October~~ of each year by vote of the board members present. Elections may be by written or verbal ballot.

Section 3. Terms. Both officers shall serve for a term of one year.

Section 4. Duties and Powers. The duties and powers shall be as follows:

Section 4a. Board Chair. The Board Chair shall be the general executive officer of the board; in particular, the Board Chair shall:

- Exercise general supervision over the official business of the board, ensuring that such business is conducted in accord with federal, North Carolina State, and Carteret County laws, as well as in accord with these bylaws;

- Prepare agendas and preside at all meetings of the board;

- Appoint all committee members and committee chairs subject to approval by the board as provided in Article VI of these bylaws;

- Serve as an ex-officio member of all committees;

- Ensure that the board works closely and cooperatively with the appropriate officials of the Carteret County Board of Commissioners;

- Act as the official spokesperson for the Board and its representative at meetings with other organizations, provided that no statement or action taken by the Board Chair as spokesperson or representative shall obligate or commit the board unless approved by an affirmative vote of the board members present at a regular or special board meeting;

- Perform all other duties pertinent to the Board Chair's office or prescribed by an affirmative vote of the board members present at a regular meeting;

- Be empowered to delegate to the Vice Chair any of the duties or powers of the Board Chair listed in this section;

- The Board Chair may appoint a board member to serve as parliamentarian to serve during board meetings. The length of said appointment shall be determined by the Board chair and shall not be longer than the Board Chair's term of office.

Section 4b. Vice Chair. The Vice Chair shall assist the Chair in the performance of his or her prescribed duties. In the event of the inability of the Board Chair to perform his or her duties, the Vice Chair shall possess the powers and perform the duties of the Board Chair. The Vice Chair shall also perform any other duties prescribed by an affirmative vote of the board members present at a regular or special meeting.

Section 4c. Secretary. The Shore Protection Manager, or other designee appointed by the Chairman, shall be appointed the Secretary. The Secretary shall keep official records of the Board, handle the correspondence of the Board as directed and keep accurate minutes of each meeting.

Section 5. Resignation. Any officer of the board may resign by submitting a written and signed resignation to the Board Chair. If the Board Chair is resigning, it should be submitted to

the Vice Chair. Whenever possible, the officer's resignation should be submitted at least thirty days prior to the effective date of the resignation.

Section 6. Vacancies. In the event of a vacancy in any other office, such vacancy shall be filled by an interim officer elected at the next regular meeting of the board by the vote of the board members present. The interim officer shall serve for the remainder of the unexpired term of the vacant office.

## **ARTICLE V**

### Official Actions of the Board

Section 1. General. The board shall act as a body in making its decisions and announcing them. No member of the board shall speak or act for the board on any matter without prior authorization from the board as provide in these bylaws.

Section 2. Recommendations. All official recommendations of the board shall be approved by an affirmative vote by a majority of the board members present at a regular or special board meeting.

Section 3. Other Business. All other official actions or business of the board must be approved by a majority of board members present at a regular or special board meeting unless otherwise provided by these bylaws.

Section 4. Minority Opinion Reports. Any three members of the board may prepare a Minority Opinion Report on any official recommendation or other official action of the board.

## **ARTICLE VI**

### Committees

Section 1. Standing Committees. The board shall have standing committees as needed. Each standing committee shall consist of at least three members, all of whom shall be appointed by the Board Chair of the board. Standing committees shall consist of, but not be limited to the Nominations Committee.

Section 2. Nominations Committee. This committee will recruit and screen appropriate representatives from the local community and will then recommend suitable candidates for board membership. The committee will maintain a list of appropriate nominees for timely recommendations when board vacancies occur. In addition, the committee shall nominate board officers as provided in Article IV, Section 2 of these bylaws.

Section 3. Committee Membership. Each committee will consist of at least three Beach Commission members and may include representatives from the community, acting ex-officio. Each committee will develop criteria for the community representatives. Membership will not exceed ten community representatives per committee, each serving two- or three-year terms. Terms may be renewed with committee approval, not to exceed six years. The committee chair or co-chair must be a member of the Carteret County Beach Commission.

Section 4. Voting Powers. All committee members have full voting powers of the standing committee to which they are assigned.

Section 5. Committee Procedures. No committee meeting can officially conduct business unless the Chair or designated Vice Chair of that committee and at least one committee member is present.

## **ARTICLE VII**

### Board Records

Section 1. General. All official records of the board shall be kept at the Carteret County Manager's Office, and be made available for public inspection during regular business hours, as provided by law.

**ARTICLE VIII**  
Conflict of Interest

Any member of the board or board committee who has a conflict of interest concerning a situation in which a person, such as a public official, an employee, or a professional, has a private or personal interest sufficient to appear to influence the objective exercise of his or her official duties shall so inform the board or the board committee before participating in discussion and shall refrain from voting on the matter.

**ARTICLE IX**  
Amendments

These bylaws may be amended only at a regular meeting of the board by a vote of two-thirds of the board. To be considered at a regular meeting, a full statement of each proposed amendment must be included in the written agenda required for the meeting under Article III, Section 6 of these bylaws. All amendments are subject to the approval of the Board of County Commissioners.

Date Approved: 4-4-05

Lynda S. Clay  
Lynda Clay, Chair